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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,114	03/08/2001	Daniel Mattias Larsson	10130-018-999	5582

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05/05/2005

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/802,114

Applicant(s)

LARSSON ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Status

Claims 1-22 are pending. Claims 1-22 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,643,641 issued to Snyder (hereafter Snyder), as best examiner is able to ascertain.

Claims 1 and 12:

Snyder discloses a method for providing at least one search result responsive to a search query comprising at least one search query term [Fig 3], the method comprising:

- receiving a search query [user search criteria 54, Fig 3, col 28, lines 7-16] requesting at least one record in the world wide web,
- processing [search report 80, Fig 3, report is prepared col 28, lines 17-28] the search query to produce at least one qualifying record,
- transmitting a text representation [description and title included with URL link 82, Fig 3, col 28, lines 30-37] of the qualifying record to a user

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- transmitting a representation of a non-text object [Fig 3, 35, small size presentation of web page, col 28, lines 30-37] related to the text representation of the qualifying record to the user.

Claims 2, 13 and 19:

Snyder discloses wherein the object comprises an image [Fig 3, 35]

Claims 3, 14 and 20:

Snyder discloses wherein the record comprises a Web page [col 28, lines 38-35]

Claims 4, 10, 15 and 21:

Snyder discloses wherein the object is displayed next to the text representation [col 28, lines 30-37]

Claims 5, 11, 16 and 22:

Snyder discloses wherein the object is displayed directly below the text representation [Fig 3, 35]

Claims 6 and 17:

Snyder discloses wherein the object comprises a sound file [col 9, line 59].

Claims 7 and 18:

Snyder discloses receiving a record [Fig 2, 66, col 9, lines 58-60] from the world wide web searching the record, creating a representation of the object [Fig 2, 68, text is parsed, col 9, lines 35-60] storing the representation [Fig 2, 68] in association with the record making an entry for the record in the index including the representation

Claim 8:

Snyder discloses wherein the object comprises an image [col 9, lines 55-60]

Claim 9:

Snyder discloses wherein the record comprises a Web page [col 7, lines 6-30].

Response to Arguments

Applicant's arguments filed 2/27/2004 have been fully considered but they are not persuasive.

Applicant Argues:

Applicant states in the third paragraph of page 4, "Thus, Snyder does not show transmitting a representation of a non-text object related to the text representation of the qualifying record because Snyder shows a user a snapshot of the entire record – not something which is related to the record."

Examiner Responds:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., something which is not related to the record) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argues:

Applicant states in the third paragraph of page 4, "Moreover, claims 1 and 12 recite that the representation transmitted to the user is related to the text representation of the qualifying record." Snyder does not transmit to a user a representation related to a text representation

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(assuming that Snyder has an element which could correspond to the claimed text representation)”

Examiner Responds:

Examiner is not persuaded. The MPEP § 2111.01 states that during examination, the claims must be interpreted as broadly as their terms reasonably allow. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. Applicant has not provided a clear definition of “related” and thus examiner interprets “related” to mean *connected or associated as by kind or origin*.¹ Examiner maintains that the following teaching, col 14, lines 40-40, by Snyder reads on a representation related to a text representation:

The snapshots 35 can be contained in formatted image files (e.g., GIF, JPEG, etc). The snapshot image files, or URL addresses pointing to the image files, preferably are stored in the database 62 that also contains the URL addresses of the indexed pages. In reporting search results, the search engine 78 inserts a link 82 aiming to the snapshot image file 35 into the html search results page 80. The search results appear on the users browser 84 as a link to selected pages with an associated snapshot of the page when indexed, as shown in Fig 3.”

Examiner maintains that the image files as disclosed above by Snyder clearly reads on “transmitting a representation of a non-text object related to the text representation of the qualifying record to the user.”

Applicant Argues:

¹ Webster’s New World College Dictionary, Fourth Edition

Applicant states in the third paragraph on page 4 “Snyder shows a snapshot of the entire record (underlined for emphasis) and not something related to a text representation. Therefore, it is asserted that claim 1 is patentable over Snyder.”

Examiner Responds:

Examiner is not persuaded. Examiner is confused. It is unclear why a snapshot of an entire record disqualifies above disclosure from being “related to a text representation” as suggested by applicant. Applicant is interpreting “related to a text representation” as comprising a partial or less than complete representation. Examiner maintains that this interpretation of “related” is not per applicant’s specification, which by the way, applicant has failed to clearly reference and secondly, is not per the definition of a common dictionary such as Webster’s New World Dictionary.

Applicant Argues:

Applicant on page 5, states that claims 7 and 18 recite creating a representation of a non-text object.

Examiner Responds:

Examiner is not persuaded. Applicant is referred to supra response(s) by examiner regarding the claimed non-text object.

Applicant Argues:

Applicant states in the fourth paragraph on page 6, “However, even the combination of Edelman and Baclawski does not show processing a search query requesting a document in the world wide web and transmitting a representation of a non-text object related to a text representation of a qualifying record to a user as recited in claim 1.”

Examiner Responds:

Examiner is not persuaded. Examiner without agreeing with applicant, declines to comment because Edelman and Baclawski are not presently of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306.

Etienne LeRoux

04/25/2005


MOHAMMAD ALI
PRIMARY EXAMINER